



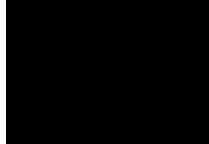
Coimisiún um
Iomáiocht agus
Casaint Torthaitóiri

Competition and
Consumer Protection
Commission

Compliance Notice

Section 75 of the Consumer Protection Act 2007

Conor McGregor



Competition and Consumer
Protection Commission
Bloom House
Railway Street
Dublin 1
D01 C576

I, [REDACTED], an Authorised Officer of the Competition and Consumer Protection Commission (the “CCPC”), duly appointed under section 35 of the Competition and Consumer Protection Act 2014, hereby give you notice pursuant to section 75(2) of the Consumer Protection Act 2007 (the “2007 Act”) that I am of the opinion that you have engaged in a prohibited act or practice, namely a prohibited commercial practice under section 55(1)(q) of the 2007 Act.

A. Statement of Alleged Contravention

1. That you, Conor McGregor, a trader for the purposes of the 2007 Act, as of 2nd June 2024 - 7th June 2024, have engaged in a prohibited commercial practice by using editorial content in the media to promote a product (where a trader has paid for that promotion) and it is not made clear that the promotion is a paid promotion, whether in the content itself or in any oral, written, visual or descriptive representation in the promotion.
2. Such a prohibited commercial practice, as described by section 55(1)(q) of the 2007 Act, is an offence contrary to section 56 of that Act.
3. Further, such prohibited commercial practice is a “prohibited act or practice” in accordance with section 67(c) of the 2007 Act.

B. My Opinion

1. I am of the opinion that you, Conor McGregor, engaged in the prohibited act or practice outlined in the statement of alleged contravention above, by failing to disclose that products relating to '*Forged Irish Stout*' promoted on your Instagram account **@thenotoriousmma** were promoted in a paid capacity, and without using appropriate disclosure labels such as 'Ad' '#ad', etc. We recommend that you familiarise yourself with the CCPC & ASAI Guidance on Influencer Advertising and Marketing¹ which provides useful information regarding disclosure language, and the scenarios when such disclosures must be made clear to consumers.

C. The Reasons for my Opinion

1. My opinion follows an inspection of editorial content published on your Instagram account **@thenotoriousmma**.
2. The reasons for my opinion are based on the following:
 - You, Conor McGregor, when operating the Instagram account **@thenotoriousmma** to promote certain products, are a person and can be described as a "trader" for the purposes of the 2007 Act. Trader is defined in section 2 of the 2007 Act.
 - Forged Stout Limited is a legal person and can be described as a "trader" for the purposes of the 2007 Act. It is responsible for the product 'Forged Irish Stout'.
 - Forged Stout Limited paid² you, either directly or indirectly, to use the editorial content in the media identified below, and appended to this Compliance Notice, to promote Forged Irish Stout and such editorial content fails to clearly and appropriately disclose that the promotion is a paid promotion;
 1. **A post by @thenotoriousmma promoting Forged Irish Stout and tagging @forgedirishstout with the caption "Happy Friday from the GOAT"; dated 7th June 2024.**

¹ <https://www.ccpc.ie/business/wp-content/uploads/sites/3/2023/10/CCPC-ASAI-Guidance-on-Influencer-Advertising.pdf> (the "Guidance").

² See section 4 of the Guidance for details on requirement to disclose promotions of own brand products. Please note that 'payment' may include benefitting from monetary payment as well as commissions, proceeds from sales, gifts and matters relating to company shareholding.

2. A post by @thenotoriousmma promoting Forged Irish Stout and tagging @forgedirishstout with the caption “A True Irish Stout”; dated 6th June 2024.
3. A post by @thenotoriousmma promoting Forged Irish Stout with the caption “When she sees you with a @forgedirishstout”; dated 2nd June 2024.

D. Compliance Directions and Requirements

1. You, Conor McGregor, a trader, are hereby directed to ensure that, in all future instances, where a trader has paid you to use editorial content in the media to promote a product or service, you make it clear that such promotion is a paid promotion. This includes, but is not limited to, all content forms, e.g. stories, reels, posts, collaborations, on all media where you are promoting any product or service including your “own brand” products and services. You may achieve this by using clear and appropriate disclosure labels such as ‘Ad’ or '#Ad' in the manner explained in the Guidance.
2. You must comply with these compliance directions and requirements by **1st January 2026**.
3. Your social media channels will be the subject of further inspection from the CCPC to ensure adherence to these compliance directions.

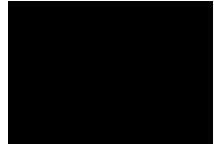
E. Appeal Procedure

1. You may appeal this Compliance Notice to the District Court in the district in which the notice is served within 14 days after its service.
2. The form and manner of such an appeal is to be found in the District Court Rules, Form 40D.01 Schedule C. This form is available from the registrar at your local District Court office or on the Courts Service’s website www.courts.ie.
3. In the event that you decide to appeal the Compliance Notice, you must, at the same time, notify the CCPC of the appeal at Bloom House, Railway Street, Dublin 1, D01 C576. You must also notify the CCPC of the grounds for the appeal.
4. If an appeal is not made in accordance with section 75 of the 2007 Act and within 14 days after service of the notice, this notice will be treated as not disputed, you will be deemed to have accepted the notice and have agreed to comply with the compliance direction and requirement. Any failure or refusal to comply with this notice is an offence and, on summary conviction, you will be liable to the fines and penalties set out in Part 5, Chapter 4 of the 2007 Act.



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This information is intended for information purposes only and does not constitute part of the Compliance Notice.

Compliance Notice Notes

Consumer Protection Act 2007 (2007 Act)

1.	Section 75(6) of the 2007 Act requires a person, when lodging an appeal, to, at the same time, notify the Competition and Consumer Protection Commission (CCPC) of the appeal and the grounds for the appeal. The CCPC is entitled to appear, be heard and adduce evidence on the hearing of the appeal.
2.	If on appeal the compliance notice is not cancelled, the notice takes effect on the later of the following: <ol style="list-style-type: none"> the day after the day on which the notice is confirmed or varied on appeal, if the appeal is withdrawn by the appellant the day after the day it is withdrawn, the day specified in the notice.
3.	If there is no appeal under section 75(5) of the 2007 Act, the compliance notice takes effect on the later of the following: <ol style="list-style-type: none"> 14 days after the notice is served. the day specified in the notice.
4.	An Authorised Officer may- <ol style="list-style-type: none"> withdraw a compliance notice at any time, or if no appeal is made or pending under section 75(5) of the 2007 Act, extend the date by which the recipient is to comply with the compliance direction and requirements.
5.	Withdrawal of a compliance notice does not prevent the service of another compliance direction or requirement specified in a compliance notice, whether it relates to the same matter or a different matter.
6.	In accordance with section 75(13) of the 2007 Act, if a compliance notice takes effect, the CCPC is required to publish the compliance notice, or cause it to be published in any form or manner it considers appropriate.
7.	Section 86 of the 2007 Act requires the CCPC to maintain a "Consumer Protection List" of names and addresses of persons together with a description of their trade, business or profession and the particulars of the matter occasioning any enforcement actions taken by the CCPC. This includes persons against whom compliance notices have taken effect.
8.	Any person who, without a reasonable excuse, fails to comply with a direction or requirement specified in a compliance notice, commits an offence and, on summary conviction, is liable to the fines and penalties set out in section 79 of the 2007 Act.
9.	Section 79(1) of the 2007 Act provides that a person guilty of an offence under the 2007 Act is liable on summary conviction to the following fines and penalties: <ol style="list-style-type: none"> a Class B fine not exceeding €4000 or up to 6 months imprisonment or both, on any subsequent summary conviction, a fine not exceeding €5000, or imprisonment for a term not exceeding 12 months or both. If, after being convicted of an offence, a person continues to contravene the requirement or prohibition to which the offence relates, the person is guilty of a further offence on each day the contravention continues and for each such offence is liable on summary conviction to a fine not exceeding €500.



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10. According to section 75(14) of the 2007 Act, the issuing of this notice does not prevent the commencement of proceedings for an offence.